

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	
ANDREW BOYLAN GADDY	:	1:20CR <u>281</u> -1
TRAVIS MICHAEL EVANS	:	1:20CR <u>281</u> -2
DANE LAMBERT SIMON	:	1:20CR <u>281</u> -3
BRIAHNA NICOLE HASKELL	:	1:20CR <u>281</u> -4
MARIELA ZAVALA MENDOZA,	:	1:20CR <u>281</u> -5
also known as Mariela Ochoa	:	

The Grand Jury charges:

COUNT ONE

From in or about 2017, continuing up to and including in or about 2019, the exact dates to the Grand Jurors unknown, in the Counties of Orange, Durham, and Guilford, in the Middle District of North Carolina, the Western District of North Carolina, the Eastern District of California, and elsewhere, ANDREW BOYLAN GADDY, TRAVIS MICHAEL EVANS, DANE LAMBERT SIMON, BRIAHNA NICOLE HASKELL, MARIELA ZAVALA MENDOZA, also known as Mariela Ochoa, and divers other persons, known and unknown to the Grand Jurors, knowingly and intentionally did unlawfully conspire, combine, confederate, and agree together and with each other to commit offenses against the laws of the United States, that is:

1. To knowingly, intentionally, and unlawfully distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II controlled substance within the meaning of Title 21, United States Code, Section 812, in violation of Title 21, United States Code, Section 841(a)(1); and

2. To knowingly, intentionally, and unlawfully distribute 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana, a Schedule I controlled substance within the meaning of Title 21, United States Code, Section 812, in violation of Title 21, United States Code, Section 841(a)(1).

Quantities of Controlled Substances Involved in the Conspiracy

With respect to ANDREW BOYLAN GADDY, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine hydrochloride and 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana.

With respect to TRAVIS MICHAEL EVANS, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of

a mixture and substance containing a detectable amount of cocaine hydrochloride and 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana.

With respect to DANE LAMBERT SIMON, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of a mixture and substance containing a detectable amount of cocaine hydrochloride and quantities of a mixture and substance containing a detectable amount of marihuana.

With respect to BRIAHNA NICOLE HASKELL, the amount involved in the conspiracy attributable to her as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is 500 grams or more of a mixture and substance containing a detectable amount of cocaine hydrochloride and 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana.

With respect to MARIELA ZAVALA MENDOZA, also known as Mariela Ochoa, the amount involved in the conspiracy attributable to her as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is 500 grams or more of a mixture and substance containing a detectable

amount of cocaine hydrochloride and 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A) and 841(b)(1)(B).

COUNT TWO

From in or about 2017, continuing up to and including in or about 2019, the exact dates to the Grand Jurors unknown, in the Counties of Orange and Alamance, in the Middle District of North Carolina, and elsewhere, ANDREW BOYLAN GADDY, TRAVIS MICHAEL EVANS, DANE LAMBERT SIMON, BRIAHNA NICOLE HASKELL, MARIELA ZAVALA MENDOZA, also known as Mariela Ochoa, and divers other persons, known and unknown to the Grand Jurors, knowingly and intentionally did unlawfully conspire, combine, confederate, and agree together and with each other to commit offenses against the laws of the United States, that is:

1. To knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, conspiracy to distribute cocaine hydrochloride and marihuana, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified

unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

2. To knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, conspiracy to distribute cocaine hydrochloride and marihuana, knowing that the transactions were designed in whole and in part to avoid a transaction reporting requirement under Federal law, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, and Title 18, United States Code, Section 981(a)(1)(C).

2. Upon conviction of the offense alleged in Count One of this Indictment, the defendants, ANDREW BOYLAN GADDY and TRAVIS MICHAEL EVANS, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

3. Upon conviction of the offense alleged in Count Two of this Indictment, the defendants, ANDREW BOYLAN GADDY and TRAVIS MICHAEL EVANS, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

4. The property to be forfeited includes, but is not limited to, a forfeiture money judgment in an amount representing the total amount subject to forfeiture based on the offenses of which the defendant is convicted.

5. If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All in accordance with Title 21, United States Code, Section 853, Title 18, United States Code, Section 982(a)(1), Rule 32.2, Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: July 27, 2020

MATTHEW G.T. MARTIN
United States Attorney

 RSG

BY: SANDRA J. HAIRSTON
First Assistant
United States Attorney

A TRUE BILL:

FOREPERSON